

It is submitted that the molded blocks according to the present invention are patentably distinguished from the articles as taught by the cited Kitamaru et al patent in at least four important respects as set forth in the following:

(1). The polyethylene articles as taught by the Kitamaru et al patent are in the form of fiber, film and sheet as is specifically stated in line 43 of column 1 thereof. As is apparent, such forms are different from the block form of the present invention as is now set forth in the subject claims.

(2). Further, these forms of the polyethylene articles according to the Kitamaru et al patent are fabricated by extending or stretching the material in a molten state and then cooling for crystallization as is set forth in lines 19-25 of column 1. Of significance is that there is no teaching therein of "being compression-deformed in a direction perpendicular to a compression plane" or "the article having orientation of crystal planes in a direction parallel to the compression plane" as asserted by the examiner. As mentioned above, since the forms of the polyethylene articles according to the Kitamaru et al patent are linear fibers or thin films, and these forms can only be fabricated by extending or stretching, it is not possible to perform compression deformation on these forms because the cited forms are not blocks as in the present invention. Thus, the articles produced according to the cited Kitamaru et al patent do not have an orientation of crystal planes in a direction parallel to the compression plane as presently claimed as the patent does not specifically teach a compression plane for the article.

In distinct contrast, important features of the present invention are that the polyethylene is a molded article in block form, the molded block is subjected to compression deformation, and the resultant molded block has molecular or crystal orientation which exhibits

particularly improved mechanical properties including wear factor demonstrated on page 7, lines 3-31 and table 1 of the subject specification. Among other things, there is no teaching or suggestion with respect to compressed deformation and improved wear factor in the Kitamaru et al patent.

(3). The Kitamaru et al patent only discloses the existence of a very pure crystalline phase in the sample cited in the column 4, lines 58-65. However, the crystal planes in the sample are oriented almost parallel to the film plane as set forth in lines 64-65 of the same column. This structure is entirely different from the block form of the subject invention as presently claimed.

(4). The Kitamaru et al patent only discloses a crosslinked polyethylene having a gel content of at least one percent in the column 1, lines 65-68.

In summary, it is submitted that the presently claimed invention differs from the Kitamaru et al patent from a consideration of the cited portions of the patent as set forth in column 1, lines 65-68, column 2, lines 1-44, and column 4, lines 58-65. Among other things, a combination of above three cited portions in the Kitamaru et al patent would contain no teaching or suggestion with respect to the characteristics and effect of compressed deformation of polyethylene blocks and the resultant improved wear factor of such polyethylene blocks in accordance with the present invention.

For the reasons stated above, withdrawal of the rejection under 35 U.S.C. § 102(b) and allowance of claims 1, 3 and 5-13 as amended over the cited Kitamaru et al patent are respectfully requested.

In view of the foregoing, it is submitted that the subject application is now in condition for allowance and early notice to that effect is earnestly solicited.

In the event this paper is not timely filed, the undersigned hereby petitions for an appropriate extension of time. The fee for this extension may be charged to Deposit Account No. 01-2340, along with any other additional fees which may be required with respect to this paper.

Respectfully submitted,

ARMSTRONG, WESTERMAN, HATTORI,
McLELAND & NAUGHTON



Donald W. Hanson
Attorney for Applicants
Reg. No. 27,133

Atty. Case No. 960381

1725 K Street, N.W., Suite 1000
Washington, D.C. 20006
(202) 659-2930
DWH:rab